

THE EFFECTIVE DATE OF THIS ORDINANCE IS JANUARY 1, 2009

ORDINANCE NO. 08-28-504

Re: Changes to Plumbing and Electrical Codes to Allow Combination Inspections

BACKGROUND

On October 1, 2008, the Board of County Commissioners (BOCC) initiated a text amendment to the Frederick County Electrical Code (Chapter 1-7) and Plumbing Code (Chapter 1-14). The purpose of the text amendments is to allow for residential combination inspections (which are further discussed below).

On November 13, 2008, the BOCC held a duly advertised public hearing on the proposed changes, during which the public had an opportunity to provide comments. On November 25, 2008, the BOCC adopted this Ordinance.

DISCUSSION

It has recently become clear that adjustments to staffing, personnel and work assignments within the Department of Permits and Inspections are necessary. The recent changes in market conditions have resulted in a decrease in permitting activity and a significant decrease in revenue derived from building, plumbing and electrical permit applications. All relevant forecasting predicts a similar pattern to continue at least into the near future.

Proper adjustments now will allow the Department to be better positioned in the future to deal with these issues. The implementation of a Residential Combination Inspection Program, which involves building, plumbing and electrical inspectors performing inspections in all three areas for certain types of residential construction, will allow greater flexibility and a much higher level of customer service, and, potentially, a decrease in certain targeted fee areas. The objective is to maintain and possibly reduce costs while increasing efficiency and staff competency through prescribed certification and training.

This Ordinance is intended to accomplish three goals: (1) Allow combination residential inspections to be performed by County plumbing, electrical and building inspectors, as long as the inspectors are properly qualified, trained and supervised; (2) Revise certain language to make the text concerning electrical and plumbing inspectors consistent in Chapters 7 and 14 of the Frederick County Code; and (3) Implement State law changes regarding the County Advisory Plumbing Board.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS FOR FREDERICK COUNTY, MARYLAND that the following additions and amendments shall be made to Chapters 1-7 and 1-14 of the Frederick County Code:

CHAPTER 1-7: ELECTRICITY

§ 1-7-39. ADMINISTRATION AND ENFORCEMENT.

This article shall be administered and enforced by the Department of Permits and Inspections, hereinafter referred to as the "Department." ~~The office of Electrical Inspector is hereby created in the Department of Permits and Inspections and~~ **THE QUALIFICATIONS OF** the Chief Electrical Inspector and **ALL ELECTRICAL INSPECTORS** ~~this assistants shall be determined by qualifications as prescribed in the job descriptions on file in the~~ **HUMAN RESOURCES** ~~Personnel~~ Department of Frederick County, Maryland. **NOTHING HEREIN SHALL PROHIBIT COUNTY PLUMBING OR BUILDING INSPECTORS FROM PERFORMING RESIDENTIAL ELECTRICAL INSPECTIONS SO LONG AS THE INSPECTORS ARE PROPERLY QUALIFIED, TRAINED AND SUPERVISED.**

§ 1-7-39.1. QUALIFICATIONS; CONDUCT.

NO PERSON SHALL BE APPOINTED CHIEF ELECTRICAL INSPECTOR UNLESS HE OR SHE SHALL HOLD A LICENSE AS A MASTER ELECTRICIAN IN THE STATE. NO ELECTRICAL INSPECTOR, INCLUDING THE CHIEF ELECTRICAL INSPECTOR, MAY BE ENGAGED IN OR FINANCIALLY INTERESTED IN THE ELECTRIC BUSINESS OR THE SALE OF ANY ELECTRICAL SUPPLIES, NOR ACT AS AN AGENT, WHETHER DIRECTLY OR INDIRECTLY, FOR ANY PERSON SO ENGAGED.

§1-7-39.2 DUTIES.

IT SHALL BE THE DUTY OF THE ALL QUALIFIED INSPECTORS TO SEE THAT ALL WORK COVERED BY THIS CHAPTER IS EXECUTED BY PERSONS PROPERLY QUALIFIED UNDER THIS CHAPTER AND TO REPORT ANY VIOLATION TO THE PROPER OFFICIALS FOR APPROPRIATE ACTION. QUALIFIED INSPECTORS SHALL INSPECT ALL CONSTRUCTIONS CONTROLLED UNDER THIS CHAPTER AND SEE THAT IT IS DONE IN ACCORDANCE WITH THE ADOPTED CODE.

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CHAPTER 1-14: PLUMBING

§ 1-14-19. ADMINISTRATION AND ENFORCEMENT~~OFFICE CREATED;~~ **REMOVAL.**

THIS ARTICLE SHALL BE ADMINISTERED AND ENFORCED BY THE DEPARTMENT OF PERMITS AND INSPECTIONS, HEREINAFTER REFERRED TO AS THE "DEPARTMENT." ~~The office of Plumbing Inspector is hereby created and~~ **THE QUALIFICATIONS OF** the Chief Plumbing Inspector and **ALL OTHER**

PERSONS HIRED AS PLUMBING INSPECTORS ~~his assistants shall be determined by qualifications as prescribed in the job descriptions on file in the HUMAN RESOURCES~~ ~~Personnel~~ Department of Frederick County, Maryland. **NOTHING HEREIN SHALL PROHIBIT COUNTY ELECTRICAL OR BUILDING INSPECTORS FROM PERFORMING RESIDENTIAL PLUMBING INSPECTIONS SO LONG AS THE INSPECTORS ARE PROPERLY QUALIFIED, TRAINED AND SUPERVISED.**

§ 1-14-20. QUALIFICATIONS; CONDUCT; ~~ASSISTANTS.~~

No person shall be appointed Chief Plumbing Inspector unless he **OR SHE** shall hold a license as a master plumber in the state. **NO PLUMBING INSPECTOR, INCLUDING THE CHIEF PLUMBING INSPECTOR, MAY** ~~He shall not, during his term of office,~~ be engaged in or financially interested in the plumbing business or the sale of any plumbing supplies, nor shall he act as an agent, whether directly or indirectly, for any person so engaged. ~~The assistant plumbing inspectors shall be at least county licensed journeymen plumbers and also shall not engage in or be financially interested in any plumbing business, directly or indirectly, during their terms of office. Such assistant plumbing inspectors shall be under the control and authority of the Chief Plumbing Inspector.~~

§ 1-14-21. DUTIES.

It shall be the duty of the Chief Plumbing Inspector **ALL QUALIFIED INSPECTORS** ~~to review the credentials and issue the licenses to all persons licensed by the State Board of Commissioners of practical plumbing as state master or journeymen plumbers or county licensed master or journeymen plumbers. It shall further be the duty of the Chief Plumbing Inspector or his assistants to sign and issue all notices and certificates, to keep a record which shall include all notices and applications received, violations of any provision of this chapter or any other ordinance, and all matters which may pertain to plumbing work, and in connection therewith, to make monthly reports and an annual report of the operation of his office to the Board of County Commissioners. It shall also be the duty of the Chief Inspector or his assistants to see that all work covered by this chapter is executed by persons properly qualified under this chapter and to report any violation to the proper officials for appropriate action. QUALIFIED Inspector~~ **S or his assistants** shall inspect all constructions controlled under this chapter and see that it is done in accordance with the **ADOPTED CODE** ~~provisions hereof as to quality, size and kind of materials used in such construction.~~

§ 1-14-22. RIGHT OF ENTRY; POWER TO STOP WORK.

QUALIFIED Inspector ~~S or his assistants~~, in the discharge of their official duties, and upon proper identification, shall have the authority to enter any buildings, structures or premises at any reasonable hour and are empowered to order work stopped that is not in conformity with this chapter and to require the person doing the work to correct the same.

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§ 1-14-39. MEETINGS; REVIEW OF PLUMBERS CREDENTIALS; LIST OF PLUMBERS.

The Advisory Plumbing Board shall meet at such times as may be necessary but at least once during any 6 month period. They shall review the credentials and licenses issued by the ~~DEPARTMENT~~ ~~Plumbing Inspector~~ to all persons licensed by the State Board of ~~Commissioners of Practical Plumbing~~ as state master or journeymen plumbers or county licensed master or journeymen plumbers. ~~A list of such plumbers shall be kept and given to the Plumbing Inspector.~~

§ 1-14-37. MEMBERS.

The Advisory Plumbing Board shall consist of a person designated by the Frederick County Health Officer, ~~ATWO (2)~~ state or county licensed plumberS, and ~~1TWO (2)~~ other personS; all members shall be appointed by the Board of County Commissioners. The Board shall be appointed for **STAGGERED 4 year terms of office. AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR QUALIFIES AND IS APPOINTED. A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN WILL SERVE ONLY FOR THE REMAINDER OF THE TERM AND UNTIL A SUCCESSOR QUALIFIES AND IS APPOINTED.**

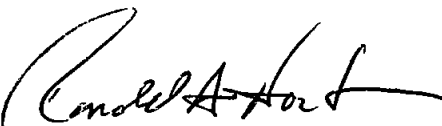
AND BE IT FURTHER ENACTED AND ORDAINED that the Residential Combination Inspection Program shall include an approved list of permits or inspection types. The list may be updated from time to time and shall be made available to the public upon request or by publication on the County's website.

AND BE IT FURTHER ENACTED AND ORDAINED that this Ordinance shall take effect on January 1, 2009.


The undersigned hereby certifies that this Ordinance was approved and adopted on the 25th day of November, 2008.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF FREDERICK COUNTY, MARYLAND



Ronald A. Hart, County Manager

BY:  (SEAL)

Jan H. Gardner, President

KOM
12/5/08